

30 Elected TO 02 MAR 1998

FORM PTO-1390
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

3477/116

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/029872

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/CA96/00585

30 August 1996

1 September 1995, 21 December 1995

TITLE OF INVENTION "A SYNTHETIC BIOMATERIAL COMPOUND OF CALCIUM PHOSPHATE PHASES PARTICULARLY ADAPTED FOR SUPPORTING BONE CELL ACTIVITY"

APPLICANT(S) FOR DO/EO/US: Sydney M. Pugh; Timothy J. Smith; Michael Sayer; Sarah Dortehea Langstaff

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l).
 4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
 7. ☐ Amendments to the claims and specification of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith as a part of the examination report.
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ A copy of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
 11. ☐ A copy of the International Search Report.
- Items 12. to 17. below concern other document(s) or information included:
12. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 13. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 14. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
 15. ☐ A substitute specification.
 16. ☐ A change of power of attorney and/or address letter.
 17. ☐ Other items or information:

18. ☒ The following fees are submitted:**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO \$930.00

International preliminary examination fee paid to USPTO
(37 CFR 1.482). \$720.00No international preliminary examination fee paid to USPTO
(37 CFR 1.482) but international search fee paid to USPTO
(37 CFR 1.445(a)(2)) \$790.00Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to
USPTO. \$1,070.00International preliminary examination fee paid to USPTO
(37 CFR 1.482) and all claims satisfied provisions of PCT
Article 33(1)-(4). \$98.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than
[] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

Claims	Number Filed	Number Extra	Rate
Total Claims	-20 =		X \$22.00
Independent Claims	-3 =		X \$82.00
Multiple dependent claim(s) (if applicable)			+ \$270.00

TOTAL OF ABOVE CALCULATIONS =

Reduction by 1/2 for filing by small entity, if applicable. Verified Small
Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than []
20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).+

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment
must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).
\$40.00 per property +

TOTAL FEES ENCLOSED =

Amount to be refunded	\$
charged	\$

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.b. ☒ Please charge my Deposit Account No. 16-0605 in the amount necessary to cover the filing fees in this
application.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 16-0605.NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))
must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Melissa B. Pendleton
Bell Seltzer Intellectual Property Law Group
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Charlotte, North Carolina 28234

3477/116

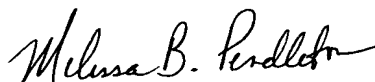
"Express Mail" mailing label number EM034616865US
Date of Deposit March 2, 1998I hereby certify that this paper or fee is being deposited with
the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the date indicated
above and is addressed to the Assistant Commissioner for
Patents, Box PCT, Washington, D.C. 20231Denise Williams
Date: 3/2/98Melissa B. Pendleton
SIGNATUREMelissa B. Pendleton
NAME35,459
REGISTRATION NUMBER

09/029872

In re: Pugh et al.
International Appl. No. PCT/CA96/00585
International Filing Date: August 30, 1996
U.S. Appln. No. 09/029,872
Page 2

- [X] Charge Deposit Account No. 16-0605 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,



Melissa B. Pendleton
Registration No. 35,459

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326967

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EL110973437US
Date of Deposit June 29, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box PCT, Attn: DO/US, Washington, D.C. 20231.



Grace R. Rippey

09/029872